



Hazardous Waste Generator Recordkeeping and Inspection Webinar – January 21, 2014

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Hazardous Waste Generator Recordkeeping and Inspection Webinar

- Paperwork Requirements
- Inspection Day – What to Expect When the Inspector Arrives

Do I Need to Know All of This

Hazardous waste regulations. . .

- Apply to all businesses, including municipalities, hospitals, and service industries, not just manufacturing industries
- Are written broadly to address hazards posed by all waste streams



Why Cover these Topics

Hazardous waste regulations require each business to. . .

- Properly prepare, maintain, and have available at the time of inspection all documents required under RCRA and Part 111 rules.
- Keep all documents **on-site** for a period of not less than 3 years from the date the waste was last shipped off-site or treated and/or disposed on-site.
- Proper accumulation and storage will prevent release to the environment, prevent costly clean-up expenses, and limit liabilities

Paperwork Requirements

- Notification of Waste Activity (Site ID)
- [Waste characterizations](#)
- [Manifests](#) and shipping records
- [Land disposal restriction](#) forms (LDRs)
- Waste area [inspection documents](#)
- [Biennial reports](#)
- [Training records](#)
- [Contingency \(emergency\) plans](#)



Notification of Waste Activity (Site ID Form or EQP 5150 Form) (MAC R 299.9303,¹ MAC R 299.9402, MCL 324.12103,² and MCL 324.12112)

Who must notify:

- Hazardous waste generators (CESQG liquids, SQG, LQG,)
- Liquid industrial waste (LIW) generators
- Hazardous/liquid industrial waste transporters
- Hazardous/liquid industrial waste receiving facilities
- Office of Waste Management Division & Radiological Protection (OWMRP) issues a Site ID number to facilities **per site** upon receipt of the Site ID or EQP 5150 form notifying the DEQ of a regulated waste activity
- Subsequent/updated notification filed for changes in site waste activity (e.g. change in generator classification/status, cease generating waste)

Required under authority of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Failure to submit this information may result in civil or criminal penalties.		MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY Waste and Hazardous Materials Division	DEQ
SITE IDENTIFICATION			
I. The form is being submitted CHECK CORRECT BOX(ES) If submitting a subsequent notification you can contact the MDEQ (WHMD) District or Lansing office for a pre-populated form. For locations and phone numbers go to www.michigan.gov/deq .		<input type="checkbox"/> as initial notification: to notify as a new site or new owner for the site. Mail this form and the user charge fee with either a receipt from paying the \$50.00 fee on-line using a Master Card, VISA, or Discover Card (https://www.thepayplace.com/mideq/siteid/) or by check made payable to the State of Michigan. Mail to: MDEQ Revenue Office - HWCU, PO Box 30657, Lansing, MI 48909-4157. OR <input type="checkbox"/> as subsequent notification: to change, update, or verify site information for an existing owner of a site with a previously issued site id number. Mail directly to WHMD-MDEQ, Notification Unit, PO Box 30241, Lansing, MI 48902-7741. If a fee is not required, otherwise submit to MDEQ Revenue Office (see above).	
AND ANY OF THE FOLLOWING <input type="checkbox"/> as a component of a Hazardous Waste Permit Part A (submit to WHMD-MDEQ) <input type="checkbox"/> as a component of the Hazardous Waste (biennial) Report (submit to WHMD-MDEQ)			
II. Site's ID Number		A. Site's Identification (ID) Number:	
III. Name of Site TYPE OR PRINT CLEARLY		A. Legal Company Name: B. Site Specific Name (d/b/a):	

¹ MAC is the "Michigan Administrative Code" reference for the rule, so MAC R 299.9303 is Rule 303 of the Part 111 Rules

² MCL is the "Michigan Compiled Law" reference for the statute, so MCL 324.12103 is Section 12103 of Part 121

- Request pre-populated Site ID Form for subsequent/updated notification from OWMRP manifest and data tracking staff by calling 800-662-9278
- To expedite form processing, pay on-line with credit card (if required) and fax updated notification and receipt to 517-335-7145
- Liquid industrial waste generators who are not required to manifest wastes are not required to notify
- See “Michigan Site Identification Form EQP 5150” information on-line at www.michigan.gov/deqwaste

- Uniform Manifest must be used when hiring permitted and registered transporter to ship hazardous waste or liquid industrial waste
- Uniform Manifest is not required when using tolling agreement, [self transporting](#) own liquid industrial waste with trip log, or using a [consolidated manifest](#)

- SQG shipping hazardous waste off-site for reclamation and regenerated material is brought back to generator under a tolling agreement
- Generator hauling ≤ 55 gallons of their own liquid industrial waste to designated facility with proper records
- Transporter using a consolidated manifest for hazardous or liquid industrial waste, then transporter provides shipper with a record that includes uniform manifest number

Land Disposal Restrictions (LDR) Overview (MAC R 299.9311 and 40 CFR 268)

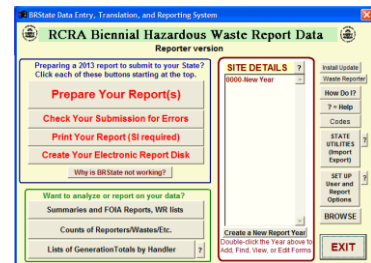
- Applies to listed and characteristic hazardous wastes from SQGs and LQGs
- Requires generator to characterize, provide an LDR notice to each TSD for each waste stating waste does or does not meet LDR standards
- Requires treatment before land disposal for most wastes
- New LDR notification must be sent when there is a waste or facility change.
- To determine if treatment is required, review if waste codes for each waste stream meet the standards in 40 CFR 268.40, 268.45 (debris), or 40 CFR 268.49 (soil)
- Notification is required even for shipment to non-land based TSDs (e.g. incinerator)
- Land disposal includes any disposal on land (landfill, land treatment, injection well, salt caverns, etc)

LDR Generator Recordkeeping (MAC R 299.9311 and 40 CFR 268)

- Keep LDRs & related documents for at least 3 years after waste last sent to TSD
- LDR's must have complete information such as categories of waste and underlying hazardous constituents
- Information on LDR must be consistent with the waste characterization
- On-site generator treatment to meet LDR criteria (40 CFR 268.48) requires a written plan describing the activities performed

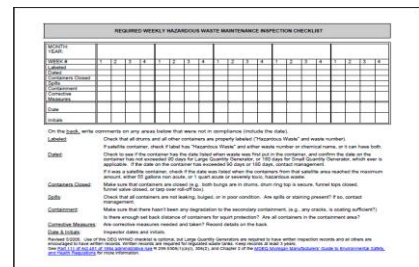
Hazardous Waste Biennial Report (MAC R 299.9307)

- **IMPORTANT CHANGES!!**
- OWMRP no longer mails out biennial reporting packets as of January 2014
- January 2014 electronic notification was issued to required reporters encouraging electronic reporting
- Required reporters download Florida's biennial reporting software (BRSW4) to report electronically
- Find more information at www.michigan.gov/deq, search for "Biennial"
- Required of LQGs and TSDs
- Submit to OWMRP by March 1 of even-numbered years
- Report includes both MI and EPA hazardous wastes
- Details hazardous waste activity in previous odd year
- Keep copy at least 3 years from due date



Hazardous Waste Area Inspection Documents (MAC R 299.9306)

- SQG and LQG must perform:
 - ✓ Weekly container accumulation area inspections
 - ✓ Daily (each operating day) hazardous waste storage tanks inspections
- LQGs must document hazardous waste container accumulation area and tank inspections



Emergency Planning and Training Requirements (MAC R 299.9205 and 299.9306)

CESQGs –

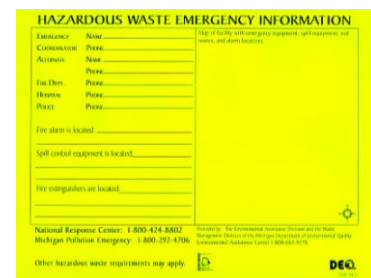
- Have no specific requirements

SQGs –

- Informal training
- Training records not required
- No stipulated review period, annual recommended
- Must send facility diagram or discuss facility hazards, layout, access, evacuation, etc. with responders
- Must ensure emergency coordinator is identified and on-premises or on-call
- Must post CURRENT emergency information by phone near hazardous waste operations

LQGs –

- Must have written hazardous waste **training program** covering proper waste handling, emergency response, equipment and communication



- Must conduct annual training for employees
- Must keep written training records for 3 years
- Training must be conducted by someone qualified to give training
- Must have description of the type of training given
- Must have CURRENT and complete written [contingency plan](#) on-site
- Must make arrangements with fire dept, police, hospitals, emergency response contractors, and local emergency response teams and document that contact
- LQG training must include:
 - ✓ Usage, inspection, repair and replacement of facility emergency and monitoring equipment
 - ✓ Key parameters for automatic waste feed cut-off systems
 - ✓ Communications and alarm systems
 - ✓ Response actions for fires and explosions
 - ✓ Response actions for contamination incidents
 - ✓ Shutdown of operations

Pre-transport Requirements

- If offering 1,000 lbs. for shipment at one time, SQGs and LQGS must have US DOT placards for waste hazards available for transporters use



Tank Inspection Documents

- All tank inspections must be documented and all records must be kept for at least 3 years

Tank Certification (MAC R 299.9306 and 40 CFR 265.192)

Must obtain a written assessment that is reviewed and certified by a qualified professional engineer that includes:

- Design standards
- Hazard characteristics of the waste
- Determination performed by corrosion expert if the external shell of a metal tank is in contact with soil or water
- Design considerations if tank affected by vehicles
- Professional engineer written certification must be kept on file at facility

When and Why Does an Inspector Visit?

Routine compliance inspection utilizing a

- Routine compliance inspection
- Complaint received
- Manifest discrepancies
- Inspection requested by another agency

How to Survive an Inspection

- Relax!
- Don't be adversarial
- Have your records in order
- Don't try to hide anything
- If asked to "fix" something, consider doing it then, if possible



What Do Inspectors Look At

Records –

- Waste related – waste characterizations, manifests, LDRs, storage area logs, biennial report, whether permitted/licensed transporter was used for transport of waste, etc.
- Emergency preparedness – personnel training records, contingency plans, spill control equipment, etc.

Waste Handling and Accumulation/Storage Areas –

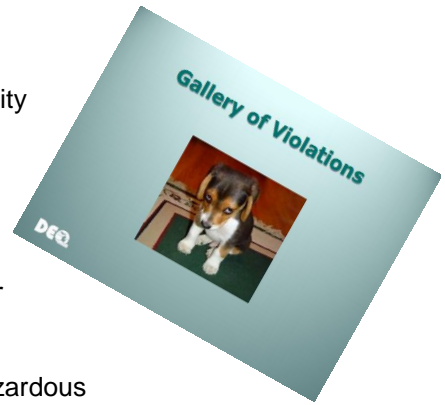
- Containers, tanks, labeling, [secondary containment](#), work practices, emergency response & communication equipment

Manifest Common Violations

- Using wrong ID number
- Using wrong or incomplete waste codes
- Failing to send copy to state (out of state TSD copy is the responsibility of the in-state generator)
- Failing to keep signed manifests for three years
- Failing to have records of used oil shipped on consolidated manifest

LDR Common Violations

- Failing to keep LDRs and related documents for at least 3 years after waste last sent to TSD
- Missing LDR notification and waste analysis documents
- Missing or incomplete information such as categories, underlying hazardous constituents, and manifest numbers
- Listing LDR information that is inconsistent with waste characterization



Common Storage Violations

- Don't stack more than 2 drums high
- Failing to have adequate space or aisle width to properly inspect containers and for emergency personnel
- Failing to have labels visible for inspections
- Exceeding the allowable on-site accumulation time limit for hazardous waste without requesting an extension or obtaining a storage permit
- Leaking drums and staining indicative of a release to the environment
- Leaving containers exposed to weather or vandals
- Failing to keep the containers closed, except when waste is added or removed
- Leaving funnels in place that are not screwed into the bung and funnel not capable of being kept closed would be considered open - Valve must be closed except when adding waste
- Listing incorrect or incomplete information on hazardous waste labels
- Missing the accumulation date
- Missing the words "Hazardous Waste"
- Missing the hazardous waste number(s)
- Using containers in poor condition
- Failing to keep the containers closed, except when waste is added or removed
- Illegal disposal of used oil

Secondary Containment Violations

- Lacking or inadequate secondary containment for LQG, SQG with over 2200 lbs. and any facility storing acutely hazardous wastes
- Failing to have containers elevated or base of containment sloped to drain
- Lacking or inadequate squirt protection
- Lacking or inadequate chemical resistant coating and having cracked surfaces
- Failing to remove precipitation in a timely manner from containment areas

Sorbents

- Sorbents used to clean up hazardous waste by SQG or LQG must be handled as hazardous waste
- Sorbents can be landfilled **IF** they don't contain free liquids, AND are not a hazardous waste, OR were generated by a CESQG

What Kind of inspection Follow-up Is Necessary

- Respond according to the letter sent by the OWMRP
- Accompany inspector if there is a follow-up second inspection
- Have a question about the inspection? Call the inspector who visited your facility
- Have general waste question? Contact the Environmental Assistance Center at 800-662-9278 or deq-assist@michigan.gov